

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
BRUNSWICK DIVISION

FILED
U.S. DISTRICT COURT
CR 03-0001

2009 MAR 18 PM 4:44

CLERK *[Signature]*
SO. DIST. OF GA.

JAMES LAMAR LYONS,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

CIVIL ACTION NO.: CV208-040

(Case No.: CR206-4)

ORDER

Presently before the Court are Petitioner James Lyons' ("Lyons") Objections to the Magistrate Judge's Report and Recommendation. In his Objections, Lyons contends he objects to the entirety of the Report and Recommendation because it was authored by Magistrate Judge James E. Graham. Lyons asserts that Judge Graham has shown prejudice against him, which is shown by the Report itself. Lyons analyzes the Magistrate Judge's Report and Recommendation page by page and notes the errors he perceives the Magistrate Judge made in recommending the denial of Lyons' petition.

Lyons' Objections are without merit and are **overruled**. The Magistrate Judge's Report and Recommendation is adopted as the opinion of the Court. Lyons' motion to set aside, vacate, or correct his sentence, brought pursuant to 28 U.S.C. § 2255, is **DENIED**. The Clerk of Court is directed to enter the appropriate judgment of dismissal.

SO ORDERED, this 18 day of March, 2009.

[Signature: Anthony A. DeLuca]
JUDGE, UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA